

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DEREK ARTHUR TABBERT,

Plaintiff,

v.

MS. LIEBEL, MR. POLLARD,
MR. MUENCHOW and MR. STRAHOTA,

Defendants.

ORDER

Case No. 14-cv-662-jdp

Plaintiff Derek Arthur Tabbert, an inmate at Waupun Correctional Institution, has filed a proposed civil complaint. Plaintiff has neither paid the filing fee nor requested leave to proceed without prepayment of the filing fee. For this case to move forward, plaintiff must pay the \$400 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee no later than October 23, 2014. In the event plaintiff requests leave to proceed without prepayment, a certified copy of petitioner's inmate trust fund account statement for the six-month period immediately preceding the filing of the civil complaint must be submitted. If plaintiff is found to be indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

If plaintiff does not pay the \$400 filing fee or submit a motion for leave to proceed without prepayment of the filing fee along with a six-month inmate account statement, I will assume that plaintiff wishes to withdraw this action voluntarily.

ORDER

IT IS ORDERED that plaintiff Derek Arthur Tabbert may have until October 23, 2014 to pay the \$400 filing fee or submit a motion for leave to proceed without prepayment of the filing fee along with a trust fund account statement for the period beginning approximately March 29, 2014 and ending approximately September 29, 2014. If, by October 23, 2014, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 2nd day of October, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge